

("Clean" set of proposed claims:)

C5
NO:1
1. (Amended) An isolated polypeptide comprising the amino acid sequence of SEQ ID NO:1, or a fragment of SEQ ID NO:1 of about 50 to 79 contiguous residues in length, wherein the polypeptide binds to the extracellular domain (ECD) of HER-2 with an affinity binding constant of at least 10^8 M^{-1} .

2. (Amended) The isolated polypeptide of claim 1, wherein the isolated polypeptide is from about 69 to 79 contiguous residues in length.

C6
NO:2
3. (Amended) The isolated polypeptide of claim 1, wherein the isolated polypeptide binds to a site on the extracellular domain (ECD) of HER-2 that is, at least in part distinct from the site of binding of the 4D5 humanized monoclonal antibody (HERCEPTIN®).

NO:3
8. (Amended) An isolated polypeptide comprising the amino acid sequence of SEQ ID NO:2, or a fragment of SEQ ID NO:2 of about 80 to 419 contiguous residues in length, wherein the C terminal 79 contiguous amino acids are present, wherein at least one N-linked glycosylation site are present, and wherein the polypeptide binds to the extracellular domain (ECD) of HER-2 with an affinity binding constant of at least 10^8 M^{-1} .

C7
9. (Amended) The isolated polypeptide of claim 8, wherein the isolated polypeptide is from about 350 to 419 contiguous residues in length and three N-linked glycosylation are present.

NO:4
10. (Amended) The isolated polypeptide of claim 8, wherein the isolated polypeptide binds to a site on the extracellular domain (ECD) of HER-2 that is, at least in part distinct from the site of binding of the 4D5 humanized monoclonal antibody (HERCEPTIN®).

C8
NO:6
18. (Amended) A pharmaceutical composition for treating solid tumors that overexpress HER-2, comprising an agent selected from the group consisting of: (a) an isolated polypeptide comprising the amino acid sequence of SEQ ID NO:1, or a fragment of SEQ ID NO:1 of about 50 to 79 contiguous residues in length, wherein the polypeptide binds to the extracellular domain (ECD) of HER-2 with an affinity binding constant of at least 10^8 M^{-1} ; (b) an isolated polypeptide comprising the amino acid sequence of SEQ ID NO:2, or a fragment of SEQ ID NO:2 of about 80 to 419 contiguous residues in length, wherein the C terminal 79 contiguous amino acids are present, wherein at least one N-linked glycosylation site are present, and wherein the polypeptide binds to the extracellular domain (ECD) of HER-2 with an affinity binding constant of at least 10^8 M^{-1} ; (c) a monoclonal antibody that binds to the extracellular domain (ECD) of HER-2; and (d) combinations thereof, with the proviso that the agent cannot be the monoclonal antibody alone, and a pharmaceutically acceptable carrier.

NO:5
19. (Amended) The pharmaceutical composition of claim 18, wherein the agent is the isolated polypeptide comprising the amino acid sequence of SEQ ID NO:1, or a fragment of SEQ ID NO:1 of about 50 to 79 contiguous residues in length.

20. (Amended) The pharmaceutical composition of claim 19, wherein the agent is a combination of the isolated polypeptide comprising the amino acid sequence of SEQ ID NO:1, or a

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fragment of SEQ ID NO:1 of about 50 to 79 contiguous residues in length, and the monoclonal antibody that binds to the extracellular domain (ECD) of HER-2.
